

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RYAN CHARLES DIEMOND,

Plaintiff,

v.

NOAH NAGY,

Defendant.

Case No. 23-12184

Honorable F. Kay Behm

Magistrate Judge Elizabeth A. Stafford

**ORDER FOR DEFENDANT TO RE-SERVE
HIS MOTION FOR SUMMARY JUDGMENT
AND FOR PLAINTIFF TO RESPOND**

Plaintiff Ryan Charles Diemond, a prisoner under the Michigan Department of Corrections' (MDOC) jurisdiction, filed this pro se civil rights action against Defendant Noah Nagy under 42 U.S.C. § 1983. ECF No. 1; ECF No. 13. The Honorable F. Kay Behm referred the case to the undersigned for all pretrial matters under 28 U.S.C. § 636(b)(1). ECF No. 10.

On April 18, 2024, Diemond filed a notice of change of address, stating that he was transferred to G. Robert Cotton Correctional Facility. ECF No. 14. A week later, Nagy moved for summary judgment but served Diemond at his outdated Parnall Correctional Facility address. See ECF

No. 17, PageID.209. Diamond has not responded to the motion.

The Court thus **ORDERS** Nagy to re-serve his motion for summary judgment at Diamond's address and file a new certificate of service on the Court's docket **by June 10, 2024**. Diamond must respond to the motion by July 1, 2024. Nagy may reply by July 8, 2024.

IT IS ORDERED.

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

Dated: June 5, 2024

NOTICE TO PARTIES ABOUT OBJECTIONS

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.”** E.D. Mich. LR 72.2.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served on counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 5, 2024.

s/Julie Owens

JULIE OWENS

Case Manager